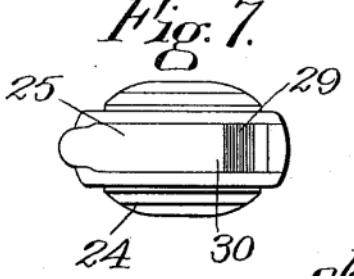


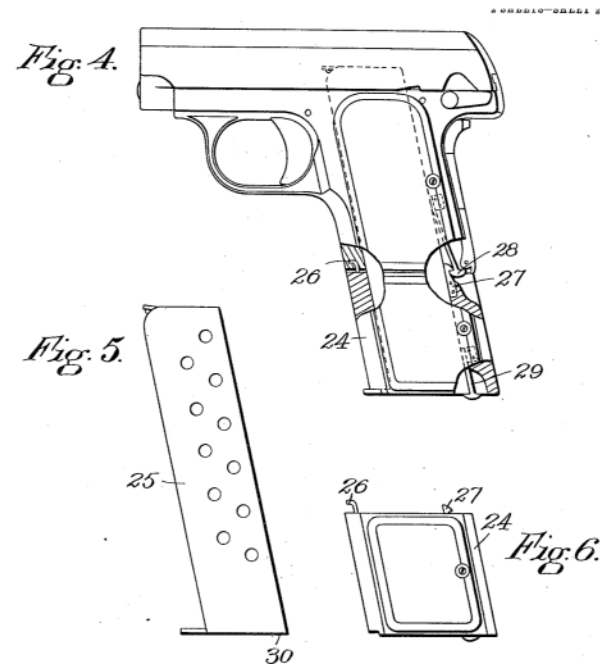
## **APPENDIX 5 to PLAINTIFFS' FINAL INVALIDITY CONTENTIONS**

**Harrington, U.S. Patent No. 1,015,490 (filed Mar. 31, 1911, issued Jan. 23, 1912)**

Language from Patent-In-Suit	Disclosure in Reference
1. A grip extender in combination with a handgun, comprising:	<p>Col. 1, ll. 66-70: “. . . a construction has been devised by which a longer magazine is provided having about its lower end a supplemental stock member 17 . . .”</p> <p>Col. 1, l. 105 – 110: “In the embodiment shown in Figs. 4, 5, 6 and 7 of the drawings, the supplemental stock member 24 is independent of the magazine 25 instead of being carried thereby as was the case in the embodiment shown in Figs. 1, 2 &amp; 3.”</p>
a handgun using a variety of different model magazines,	Col. 1, ll. 10-11: “This invention relates to firearms but more particularly to magazine pistols.”
a grip extender with symmetrical interior side walls,	 <p>The reference demonstrates in Fig. 7 the insertion of a magazine into the grip extender. Because the magazine is symmetrical, the interior side walls of the grip extender must also be symmetrical.</p>
an exterior front wall configured to a user's grip, and a rear wall, for use with the handgun magazine to fill a gap between the magazine and the handgun, with said magazine having an open top for loading ammunition cartridges	<p>All these limitations are disclosed in Figures 4, 5 and 6:</p> <p>Fig. 4 and 6 shows the extender having a front wall and a rear wall, and the gap between the magazine and the handgun being filled by the extender.</p>

and a closed bottom for containing said ammunition cartridges, said closed bottom ending in a floor plate, of determinable thickness, with a lower surface and an upper surface, with said floor plate also having a peripheral surface larger than a peripheral surface of a corresponding body of the magazine,

Fig. 5 shows a magazine with an open top for loading ammunition cartridges, and a closed bottom for containing those cartridges. The magazine ends in a floor plate 30, the peripheral surface of which is larger than the peripheral surface of a corresponding body of the magazine.



said grip extender further comprising:

- a) a one-piece collar slideably mounted from the open top of said magazine and subsequently seated at the closed bottom of said magazine thereby substantially filling any gap resulting from a length of the magazine protruding from a handgun when said magazine is engaged into said handgun,

The explicitly disclosed embodiments of the reference contemplate a one-piece collar device. The concept of mounting it from the top of the magazine would be known to a person of ordinary skill in the art. The gap-filling aspect is discussed *supra*.

<p>said collar having a size and shape sufficient to elastically receive and grip the magazine and magazine floor plate thereby securely retaining the collar</p>	<p>The disclosed size and shape of the reference clearly grips the magazine and the magazine floor plate, as shown in Figs. 4, 6 &amp; 7, thereby securely retaining the collar. A person of ordinary skill in the art circa 1911 would understand that the grip extender could be made of rubber or other pliant material known at that time, to “elastically receive” the magazine.</p>
<p>and having at least one pair of opposed tangs oriented inward from the interior side walls of the collar; and</p>	<p>A person of ordinary skill in the art would have understood that one embodiment of the reference’s invention would have involved including opposed tangs oriented inward from the interior side walls of the collar shown in Fig. 7.</p> <p>To the extent that a unitary projection located along the interior surface of the front of the collar could constitute “one pair of opposed ribs,” such “ribs” are disclosed at Col. 2, ll. 19-31: “At the butt end of the supplemental stock member is another catch 29 which is adapted to grasp the lower corner 30 of the magazine 25, shown in Fig. 5, when this magazine is inserted at this point and pressed upward through the magazine chamber of both the stock and the supplemental member into the position indicated by dotted lines in Fig. 4. In this position the magazine acts as a support and . . . makes the supplemental member 24 a rigid portion of the stock.”</p>
<p>b) further comprising at least one pair of opposed ribs, said ribs oriented inward from the interior side walls of the collar,</p>	
<p>with a bottom shoulder of said ribs distanced above the tangs, said distance approximately equal the determinable thickness of the magazine floor plate; and</p>	
<p>c) when sliding the grip extender into its final position on the magazine, a step of the said tangs engages the lower surface of the floor plate and captures the corresponding upper surface of floor plate against said the bottom shoulders of the opposed ribs.</p>	

Language from Patent-In-Suit	Disclosure in Reference
4. The grip extender claim 1 further comprising a lower surface depending below the magazine floor plate thereby protecting said magazine from impacts with surfaces when the magazine is released from a handgun during reloading.	See discussion of Claim 1, <i>supra</i> . Also, see Fig. 2, disclosing an embodiment in which there is a lower surface.

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